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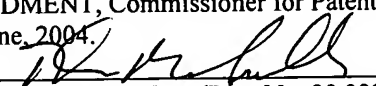
Attorney Docket No. A2000-700631

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Neil Rasmussen et al.  
Serial No.: 10/775,551  
Filed: February 10, 2004  
For: ADJUSTABLE SCALABLE RACK POWER SYSTEM AND METHOD  
Examiner: Not Yet Assigned  
Art Unit: 2831  
Confirmation No.: 6684

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 17th day of June, 2004.

  
Thomas M. Sullivan, Esq. (Reg. No. 39,392)

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

Transmitted herewith in connection with the above-identified patent application are the following documents:

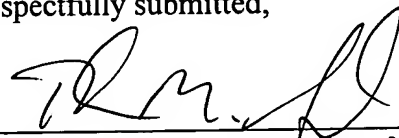
- ☒ Information Disclosure Statement (3 pgs.);
- ☒ PTO Form 1449 (in duplicate - 1 pg.); and
- ☒ Return Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000.

The Commissioner is hereby authorized to charge any additional or overpayments to Deposit Account No. 50/2762; Ref. No. A2000-700631. A duplicate copy of this transmittal is enclosed.

Respectfully submitted,

By:



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Attorney for Applicant

Dated June 17, 2004  
744684.1



Attorney Docket No.: A2000-700631

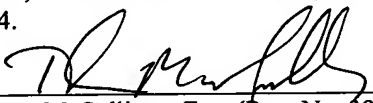
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**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant: Neil Rasmussen et al.  
U.S.S.N.: 10/775,551

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

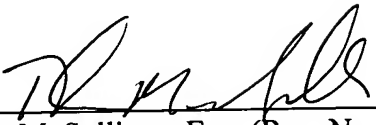
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

Applicant: Neil Rasmussen et al.  
U.S.S.N.: 10/775,551

An early and favorable action is hereby requested.

Respectfully submitted,

By:   
Thomas M. Sullivan, Esq. (Reg. No. 39,392)  
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Attorney for Applicant

Dated: June 17, 2004  
Attorney Docket No.: A2000-700631



FORM PTO-1449/A and B (Modified)  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	APPLICATION NO.: 10/775,551	ATTY. DOCKET NO.: A2000-700631
	FILING DATE: February 10, 2004	CONFIRMATION NO.: 6684
	APPLICANT: Neil Rasmussen et al.	
	GROUP ART UNIT: 2831	EXAMINER: Not Yet Assigned

**U.S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A32	*4,656,767		Tarrant	04/14/1987
	A33	*6,129,316		Bauer	10/10/2000
	A34	*6,541,705	B1	McGrath	04/01/2003
	A35	*6,651,362	B2	Caveney	11/25/2003
	A36				
	A37				
	A38				
	A39				
	A40				
	A41				
	A42				
	A43				
	A44				
	A45				
	A46				

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	B1						
	B2						

**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1		
	C2		
EXAMINER			DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/038,106, filed 01/02/2002, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]